

**Solid Waste Advisory Committee
Meeting Summary
September 24, 2004**

Past Meeting Follow-up and Open Issues Discussion

DEP presented updates on two issues discussed at previous SWAC meetings:

- **Solid Waste Compliance Fee Increase** – John Fischer gave an update on the status of solid waste annual compliance fees. Earlier this year, DEP had been given a one-year reprieve from increasing fees, with solid waste program costs being funded out of General Fund revenue for FY05. The Administration is now beginning to form its FY06 budget and no solid waste fee increase is planned at this time. However, DEP is still concerned with how solid waste program costs will be paid for, given that this is one of the few DEP programs for which fees do not cover a significant portion of program costs.
- **Asbestos in Soils Regulations** – DEP has released a draft regulation package, including changes to the solid waste regulations for managing soils that contain small amounts of asbestos fibers. These draft regulations, along with proposed amendments to the Massachusetts Contingency Plan, are posted on DEP's web site at www.mass.gov/dep/files/pubnot04.htm. The public comment period for these regulations runs through December 10, with hearings held in mid-November. DEP is interested in setting up a meeting with solid waste stakeholders, particularly landfill operators, prior to public hearings to discuss how these changes would affect Massachusetts landfills. If you are interested in meeting to discuss these issues, please contact Sarah Weinstein at (617)574-6862 or at sarah.weinstein@state.ma.us.

Revisions to 310 CMR 19.000: Solid Waste Permitting Regulations – Review of Major Comments Received

John Fischer summarized comments received on DEP's proposed amendments to 310 CMR 19.000, the solid waste permitting regulations. The sections that received the most comments included the waste ban changes related to construction and demolition debris, beneficial use determinations, and double liner standards. DEP is currently preparing a Response to Comments document, which will be included as part of the final regulation package. A SWAC member requested additional meetings with DEP to discuss the comments received and any proposed changes.

Solid Waste Master Plan Review

John Fischer reviewed a proposed process and schedule for conducting a review of the Solid Waste Master Plan. While Massachusetts has made progress towards meeting the goals laid out in the *Beyond 2000 Solid Waste Master Plan*, we clearly face new and different challenges than we did four years ago. DEP believes that now, nearly halfway through the 10 year Master Plan is the appropriate time to revisit the Master Plan policies, strategies and commitments.

The SWAC agreed that it would be useful to start the review with a discussion of broader solid waste policy issues and what our needs and priorities should be. Then, the discussion could progress to more specific policy and program issues. The SWAC agreed to meet several times in October and

November to have these discussions. Specific issues raised for discussion at upcoming meetings included:

- DEP should reconsider whether the Solid Waste Master Plan is necessary or what elements are necessary, and look again at the statutory requirements for the Solid Waste Master Plan.
- DEP should consider the environmental impacts of exporting waste as well as the environmental impacts of disposing waste in-state.
- DEP should reexamine the priority placed on waste reduction and the effect that has on disposal capacity.
- Recycling and waste reduction need to be considered as part of the Commonwealth's waste management capacity.
- DEP should go back to the drawing board on waste reduction strategies given dramatic reductions in state funding, including considering a greater role for product stewardship.
- DEP should focus on improved strategies to get more commercial waste out of the waste stream, given the large amounts of commercial waste that are still disposed.
- Capacity and waste reduction goals must be realistic and able to be adjusted over time.
- DEP should consider how waste management capacity is being sited in lower-income communities.
- DEP should discuss how local and state constraints may pose too great an impediment to developing increased capacity and how such requirements increase waste management costs.
- DEP should increase permitting flexibility and assistance, particularly for municipal facilities.
- DEP should improve regional consistency of permitting and compliance efforts.

Meeting Handouts and Presentations

- Proposed Process and Schedule for Solid Waste Master Plan Revisions
- SWAC Meeting Notes Excerpt – November 18, 2003: Initial SWAC Suggestions for Master Plan Review Issues
- 3rd Annual Progress Report on the Beyond 2000 Solid Waste Master Plan (Posted on DEP's web site at <http://www.mass.gov/dep/bwp/dswm/dswmpubs.htm#swmp>.)

Next SWAC Meeting

The next regularly scheduled SWAC Meeting is scheduled for Tuesday, November 16, 2004, from 1:00 p.m. to 3:30 p.m. at DEP, One Winter Street, Boston. In addition, Master Plan Review Meetings are planned for the following dates/times:

Wednesday, October 6, 1:00 – 3:30 p.m.

Wednesday, October 20, 1:00 – 3:30 p.m.

Thursday, November 4, 1:00 – 3:30 p.m.

A meeting agenda for the next meeting on October 6, along with background materials, will be sent to the SWAC mailing list via email.